IN THE CLAIMS:

Please cancel Claims 42, 43, 52 and 53 without prejudice or disclaimer of subject matter, and incorporate the substance thereof into independent Claims 40 and 50, respectively. The claims, as pending in the subject application, read as follows:

1. to 39. (Canceled)

40. (Currently Amended) A software distributing system for distributing control software used by an image forming apparatus to an external apparatus via a network, wherein the external apparatus is the image forming apparatus or an information processing apparatus connected with the image forming apparatus, said system comprising:

a receiving unit configured to receive production lot information of a consumable unit which is stored in a memory of the consumable unit, wherein the consumable unit is detachably located in the image forming apparatus and wherein the production lot information is output by the external apparatus; and

a controller unit configured to distribute a control software, based on the production lot information, to the external apparatus via the network;

wherein the receiving unit is configured to receive operation information of the consumable unit, and further comprises a selecting unit configured to select a control software based on the production lot information and the operation information received by the receiving unit,

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wherein the controller unit is configured to distribute the control software

selected by the selecting unit to the external apparatus, and

wherein the production lot information indicates a production condition for

the consumable unit.

41. (Currently Amended) The software distributing system according to

Claim 40, wherein the production lot information includes lots of respective parts making

up the consumable unit, and wherein the selecting controller unit is configured to select the

control software based on a combination of lots of respective parts making up the

consumable unit, and wherein the controller unit is configured to distribute the control

software selected by the selecting controller unit.

42. and 43. (Cancelled)

44. (Previously Presented) The software distributing system according to

Claim 40, wherein the external apparatus is a computer connected with the image forming

apparatus.

45. to 49. (Canceled)

50. (Currently Amended) A information processing method for distributing

control software used by an image forming apparatus to an external apparatus via a

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network, wherein the external apparatus is the image forming apparatus or an information

processing apparatus connected with the image forming apparatus, said method

comprising:

a receiving step which receives production lot information of a consumable

unit which is stored in a memory of the consumable unit, wherein the consumable unit is

detachably located in the image forming apparatus and wherein the production lot

information is output by the external apparatus; and

a controlling step which distributes a control software, based on the

production lot information, to an external apparatus via the network,

wherein the receiving step receives operation information of the consumable

unit, and further comprises a selecting step which selects a control software, based on the

production lot information and the operation information received by the receiving step,

wherein the controlling step distributes the control software selected by the

selecting step to the external apparatus, and

wherein the production lot information indicates a production condition for

the consumable unit.

51. (Currently Amended) The method according to claim 50, wherein the

production lot information includes lots of respective parts making up the consumable unit,

~~and~~ wherein the <u>selecting</u> ~~controlling~~ step selects the control software based on a

combination of lots of respective parts making up the consumable unit, and <u>wherein the</u>

<u>controlling step</u> distributes the control software selected by the <u>selecting</u> ~~controlling~~ step.

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52. and 53. (Cancelled)

54. (Currently Amended) The method according to claim 50, wherein the external apparatus is a computer connected with the image forming apparatus.

55. to 59. (Canceled)

60. (Previously Presented) The method of Claim 50, wherein a computer-executable program stored on a computer-readable medium causes a computer to execute said information processing method.

61. to 63. (Canceled)

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